

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
June 14, 2007

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period February 1, 2007 through April 30, 2007.
- III. **FACTS:** For the period February 1, 2007 through April 30, 2007 EQC issued seventy-six (76) Consent Orders with total assessed civil penalties in the amount of \$493,100.00. Two (2) Administrative Orders were issued during the reporting period with total assessed civil penalties in the amount of \$13,500.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	3	\$ 29,268.75
*Solid Waste	2	13,500.00	6	13,720.00
UST Program	0	0	9	7,100.00
SUBTOTAL	2	13,500.00	18	\$ 50,088.75
Water				
Drinking Water	0	\$ 0	12	\$ 20,998.00
**Water Pollution	0	\$ 0	31	310,013.25
SUBTOTAL	0	\$ 0	43	\$ 331,011.25
Air Quality				
SUBTOTAL	0	\$ 0	15	\$ 112,000.00
TOTAL	2	\$ 13,500.00	76	\$ 493,100.00

*During the reporting period, Solid Waste Enforcement issued two (2) Administrative Orders; however, one (1) of the Orders has been appealed and therefore is not listed in the report.

**During the reporting period, Water Pollution Enforcement and Solid Waste Enforcement issued one (1) Joint Consent Order with credit being given to Water Pollution Enforcement.

ANALYSIS: During the reporting period, Hazardous Waste Enforcement entered into a Consent Order with Patriot’s Point Naval and Maritime Museum (Respondent), a floating naval museum located in Charleston, South Carolina. The Respondent violated the South

Carolina Hazardous Waste Management Regulations for failure to make an accurate hazardous waste determination; failure to declare its generator status on an annual basis; and failure to properly dispose of universal waste. To comply with the Order, the Respondent must ensure that all solid waste generated on site and by its contractors has an accurate hazardous waste determination and ensure that all universal wastes are managed and disposed of properly. Also, as long as the Respondent remains a small quantity generator, annual declarations of its generator status must be submitted. The Respondent was assessed a civil penalty in the amount of three thousand dollars (\$3,000.00).

Water Pollution Enforcement entered into a Consent Order with the Town of Timmonsville (Respondent) for violations of the Pollution Control Act and the Water Pollution Control Permit Regulation. The Respondent is responsible for the operation and maintenance of its wastewater treatment facility (WWTF). Violations include failure to provide an operator of the appropriate grade; failure to properly operate and maintain the WWTF; failure to submit an administratively and technically complete pretreatment program; failure to properly monitor its outfalls; and failure to submit administratively complete discharge monitoring reports (DMRs). The Respondent must begin construction of all upgrades within 30 days of awarding a contract along with quarterly reports of progress and request approval to operate once all upgrades are complete. All self-monitoring reports must be received by the 10th of each month and an administratively and technically complete pretreatment program must be submitted for approval. A civil penalty in the amount of thirty-seven thousand eight hundred dollars (\$37,800.00) was assessed.

Solid Waste Enforcement and Water Pollution Enforcement entered into a Joint Consent Order with Kelco, LLC (Respondent). The Respondent owns and is responsible for the operation and maintenance of the Barefoot Drive Mine located in Myrtle Beach, South Carolina. Violations of the Pollution Control Act, Water Pollution Control Permit Regulations, and the South Carolina Mining Act include discharging sediment into the environment including waters of the State; failure to monitor mine dewatering discharges as required by the National Pollutant Discharge Elimination System (NPDES) Permit; engaging in mining activity without having a proper permit; and continuing mining activities after the issuance of a Cease and Desist Order. To comply with the Order, the Respondent must reclaim the site and pay a civil penalty in the amount of seven thousand one hundred dollars (\$7,100.00). Six thousand one hundred dollars (\$6,000.00) was assessed for violations of the Pollution Control Act and one thousand dollars (\$1,000.00) was assessed for violations of the South Carolina Mining Act.

Of the seventy-six (76) Consent Orders issued by EQC enforcement programs during the reporting period, (75) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Environmental Quality Control